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In re Application of :
SCHMIDT, et al. :
Application No.: 10/516,297 : DECISION ON PETITION
PCT No.: PCT/EP03/06130 :
Int. Filing Date: 11 June 2003 : UNDER 37 CFR 1.181
Priority Date: 13 June 2002 :
Atty Docket No.: 262434US2PCT :
For: METHOD AND INSTRUMENT FOR SURGICAL :
NAVIGATION :

This decision is in response to applicant's "REQUEST TO CORRECT FILING DATE" filed 23 June 2010 in the United States Patent and Trademark Office (USPTO). The request is being treated as a petition under 37 CFR 1.181 to assign a 35 U.S.C. 371 date of 19 December 2005. No petition fee is required.

On 01 March 2006, applicant was mailed a "Notification of Acceptance" (Form PCT/DO/EO/903) which identified the 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date and the date of completion of all 35 U.S.C. 371 requirements as 15 December 2005. Applicant seeks a correction of this date to read 19 December 2005.

A review of the application file, as well as applicant's enclosed stamped postcard receipt finds that the last of the 35 U.S.C. 371 requirements, an executed declaration of the inventors and grantable petition under 37 CFR 1.47 was filed on 19 December 2005. (See also the decision mailed 26 January 2006). As such it is proper to grant applicant's petition at this time.

Applicant's petition under 37 CFR 1.181 is **GRANTED**. The Form PCT/DO/EO/903 mailed 01 March 2006 is hereby **VACATED**.

The application has an international filing date of 11 June 2003 under 35 U.S.C. 363 and will be given a date of **19 December 2005** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

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